**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.1269 OF 2003**
**IN**
**INCOME TAX APPEAL (LODG) NO.353 OF 2003**

The Commissioner of Income Tax ..Appellant.

V/s.

M/s.Sakashi Engg. India Pvt.Ltd. ..Respondent.

Mr.S.M.Shah for appellant.

None for respondent.

**CORAM : H.L.GOKHALE AND**
**J.P.DEVADHAR, JJ.**

**DATED : 10TH OCTOBER, 2006.**

**P.C. :-**

Heard Mr.Shah in support of Notice of Motion. None present for the respondent though served. Affidavit of service is filed. Motion seeks condonation of delay of 105 days in filing the appeal. Looking to affidavit filed in support of the Motion, it explains as to why the delay was caused. We accept the same. Motion granted in terms of prayer clause (a). Delay o condoned. Appeal be numbered.

Appeal be listed for admission on 13th November, 2006.

**(H.L.GOKHALE, J.)**

**(J.P.DEVADHAR, J.)**